

Filed Electronically on:
November 11, 2010

| | | |
|---|----------------------|---|
| RESPONSE TO OFFICE COMMUNICATION Address to: Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Attorney Docket No. | AREN-005CON |
| | Confirmation No. | 2177 |
| | First Named Inventor | BEHAN, DOMINIC P. |
| | Application Number | 10/668,035 |
| | Filing Date | September 22, 2003 |
| | Group Art Unit | 1646 |
| | Examiner Name | LI, RUIXIANG |
| | Title: | “ENDOGENOUS, CONSTITUTIVELY ACTIVATED G PROTEIN-COUPLED ORPHAN RECEPTORS” |

Sir:

This paper is responsive to the Restriction Requirement dated May 13, 2010, for which a one-month period for response was given. In view of the enclosed petition for a 5 month extension of time, this response is timely filed.

In the Restriction Requirement, the Examiner requested the election of one of the following Groups of claims:

- I. Claims 1-3, 8, 10, 20, 21, 23-25 (all in part), and 22, drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor GPR3 (SEQ ID NO: 46), class 435, subclasses 5.
- II. Claims 1-3, 8, 10, 20, 21, and 23-25 (all in part), drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor GPR4 (SEQ ID NO: 60), class 435, subclasses 5.
- III. Claims 1-3, 8, 10, 20, 21, 23-25 (all in part), and 9, drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor GPR6 (SEQ ID NO: 47), class 435, subclasses 5.
- IV. Claims 1-3, 8, 10, 20, 21, and 23-25 (all in part), drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor GPR12 (SEQ ID NO: 48), class 435, subclasses 5.

- V. Claims 1-3, 8, 10, 20, 21, and 23-25 (all in part), drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor GPR21 (SEQ ID NO: 50), class 435, subclasses 5.
- VI. Claims 1-3, 8, 10, 20, 21, and 23-25 (all in part), drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor OGRI (SEQ ID NO: 27), class 435, subclasses 5.
- VII. Claims 1-3, 8, 10, 20, 21, and 23-25 (all in part), drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor GHSR (SEQ ID NO: 45), class 435, subclasses 5.
- VIII. Claims 1-3, 8, 10, 20, 21, and 23-25 (all in part), drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor RE2 (SEQ ID NO: 23), class 435, subclasses 5.
- IX. Claims 1-3, 8, 10, 20, 21, and 23-25 (all in part), drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor AL022171 (SEQ ID NO: 49), class 435, subclasses 5.

The Applicants hereby elect to prosecute the claims of Group I, claims 1-3, 8, 10, 20, 21, 23-25, and 22 (drawn to a method for identifying a candidate compound as an agonist or inverse agonist of orphan receptor GPR3), **with traverse**. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine the entire application on the merits, even though the entire application includes claims to independent or distinct inventions. It is the Applicants' position that it would not be unduly burdensome to perform a search on all of the claims together in the present application. Indeed, the full scope of the claims has already been examined on the merits.

Accordingly, the Applicants **traverse** the restriction requirement.

The Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number AREN-005CON.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: November 11, 2010

By: /David C. Scherer, Reg. No. 56,993/
David C. Scherer, Ph.D.
Registration No. 56,993

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, California 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

F:\DOCUMENT\AREN\005CON (5.US10.CON)\AREN-005CON Response to Rest Req of 05-13-2010.doc